

JM:SEF

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**M-11-729**

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UNITED STATES OF AMERICA

Filed Under Seal

- against -

COMPLAINT

AMODEO GOGA,

(18 U.S.C. § 1349)

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL R. BICKINGS, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), duly appointed according to law and acting as such.

In or about July 2011, within the Eastern District of New York and elsewhere, the defendant AMODEO GOGA, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, to transmit and cause to be transmitted, by means of wire communication in interstate

commerce, writings, signs, signals and sounds, contrary to Title 18, United States Code, Section 1343.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

The source of my information and the grounds for my belief are the following:

**BACKGROUND**

1. I have been a Special Agent with the FBI for approximately five years, and I am presently assigned to Squad C42, which is responsible for investigating organized criminal groups. I have participated in investigations involving identity fraud, as well as the execution of search warrants and arrest warrants. As a result of my training and experience, I am also familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their identities and activities from detection by law enforcement authorities.

2. This affidavit is based in part on my personal observations, my training and experience and information obtained from other law enforcement agents, including Romanian law enforcement authorities.

3. Except as explicitly set forth below, I have not distinguished herein between facts of which I have personal knowledge and facts as to which I have hearsay knowledge.

4. Because the purpose of this affidavit is limited to demonstrating probable cause, it does not set forth all of my knowledge about this matter. In addition, when I rely on statements made by others, such statements are set forth only in part and in substance unless otherwise indicated.

**PROBABLE CAUSE**

5. As set forth below, there is probable cause to believe that the defendant AMODEO GOGA is involved, together with a Romanian-based organized criminal group and other participants in the United States, in a conspiracy and fraud scheme targeting individuals seeking to make on-line purchases of, inter alia, automobiles.

6. Romanian law enforcement authorities have been engaged in a large investigation of Romanian-based groups engaged in cyber-crimes, including the internet-based fraud scheme detailed herein. During the course of the Romanian investigation, which utilized many wiretaps, text messages were intercepted to and from numerous cellular telephones in the United States.

7. Based on the information gathered to date, the evidence shows that Romanian-based cyber-criminals, working together with others, are involved in a scheme to solicit persons in the United States and Canada to purchase vehicles over web sites such as Craigslist. Once a victim agrees to purchase a

vehicle, the victim is provided with instructions as to where to send money via Western Union. The Western Union transaction information is then transmitted to, in some instances, a U.S.-based cellular telephone, together with additional information, such as the amount of the transaction, the name of the individual who is sending the Western Union money transfer (the victim), and the name to whom the Western Union money transfer is being sent.

8. For example, on June 13, 2011, at 23:44, the following text message was sent from a Romanian telephone number to U.S.-based cellular telephone with the number (201) 349-3753:

MT: 3973019070 SEN: [VICTIM #1<sup>1</sup>], \*\*35  
WOODMAN AVE, PANORAMA CITY, CA, 91402, USA.  
REC: ROBERTO SANTANA, 109 WILLIAM ST, NEWARK,  
NJ, 07102, USA. AMT: \$1500.<sup>2</sup>

Based on my training and experience and conversations with fellow law enforcement agents, I understand the 10-digit "MT" number to refer to a Western Union transaction number, and that the text message indicates that the Western Union transaction number 3973019070 pertains to a transfer of \$1,500 from Victim #1 to an individual using the name "Roberto Santana."

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<sup>1</sup> The names of the victim and precise address information are redacted to protect the privacy of the victim.

<sup>2</sup> The quoted text of text messages set forth herein is based, in part, on a draft translation.

9. On or about June 16, 2011, a victim complaint was submitted to the Internet Crime Complaint Center ("IC3")<sup>3</sup> by Victim #1, at the same address indicated in the above text message. The IC3 complaint indicates, in substance, that Victim #1 corresponded with an individual named "Mark" regarding the purchase of a vehicle over Craigslist. After agreeing with "Mark" to purchase the vehicle for \$2,750, Victim #1 and his/her spouse sent the money via Western Union to a "Roberto Santana," which name the victims had received via an email that was purportedly from "eBay Buyback Protection." Victim #1 indicates in his/her complaint that, in subsequent email correspondence, he/she was advised that he/she needed to send another \$1,500 "as a guarantee to ship the car." Accordingly, on June 13, 2011, Victim #1 sent another \$1,500 to "Santana." After sending the \$1,500 installment, Victim #1 reported, in substance and in part, that he/she could not "get an answer" from Santana, "and there's no car in my possession."

10. I have also reviewed, among other messages, the following series of text messages transmitted on or about and

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<sup>3</sup> The IC3 was established as a partnership between the FBI and the National White Collar Crime Center (NW3C) to serve as a means to receive Internet-related criminal complaints and to further research, develop, and refer the criminal complaints to federal, state, local, or international law enforcement and/or regulatory agencies for any investigation they deem to be appropriate. See <http://www.ic3.gov/about/default.aspx>.

between June 26, 2011 and June 29, 2011, between a Romanian number and a cellular telephone in the United States having the assigned number (646) 577-0098, serviced by T-Mobile. The messages appear to include two alias names and corresponding Western Union transaction identifiers:

Sender	Receiver	Message
Romanian Phone	(646) 577-0098	Tell me, is there a limit for LV [Las Vegas]? I want to send via both MG [MoneyGram] and WU [Western Union].
(646) 577-0098	Romanian Phone	No limit, but I think you should send under 6K
(646) 577-0098	Romanian Phone	I'm going to send to the Russian now...do you still want me to or not?? My guy told me he was told to pick up the money only on Monday, after they had called yesterday and said he should pick it up today...screw them.
Romanian Phone	(646) 577-0098	Yes, send it to the Russian. I hope to have it by Monday, 'cause we've got nothing to eat!
Romanian Phone	(646) 577-0098	That would be great. First name: Octavian Mihai; last name: Mocanu. Bro, I think I'm going to switch to MG because WU returned two of them today. Actually it won't let them send anymore.
(646) 577-0098	Romanian Phone	MG is not good for NY! I only want WU...For Vegas you can use both.
Romanian Phone	(646) 577-0098	Then I'll send to Vegas with MG!
(646) 577-0098	Romanian Phone	I've sent \$300 to the Russian and \$200 to you...Ask him when he'll go to pick it up, and I'll send you the info right away...You guys-same thing. What time are you going tomorrow?

Romanian Phone	(646) 577-0098	Leave it on Messenger 'cause we'll go first thing in the morning. Is that OK with you?
(646) 577-0098	Romanian Phone	Thanks, bro, great! I'm expecting something, too, but on WU.
Romanian Phone	(646) 577-0098	Bro, I didn't get anything on Messenger.
(646) 577-0098	Romanian Phone	I didn't send anything yet...do you want me to send it to you here??
Romanian Phone	(646) 577-0098	OK, man, here. Bro, send me so we can pick it up in the morning, 'cause WU closes early.
(646) 577-0098	Romanian Phone	1.Mt:0182954079; Sender:George Mocanu, Glendale, NY, for you, to the name you gave me. 2. Mt.L 2363546429; Sender: Michael Cooper, Glendale, NY, for the Russian, to the name provided.

11.. In addition, the following text message was sent from the U.S.-based phone to the Romanian Phone in a subsequent portion of the exchange set forth above: "I hope it'll go through, 'cause you know I sent from a fake name, so if they block it, it's going to be your loss. I asked you, why don't you pay attention?"

12. Based on the information I have learned during the course of this investigation, there is probable cause to believe that in the text messages set forth in paragraphs 10 and 11 above, a U.S.-based participant in the conspiracy is informing his Romanian co-conspirator about plans to transfer illegitimate funds that are the proceeds of the conspiracy via Western Union, using assumed names to coconspirators in Romania.

13. On July 5, 2011, the Honorable Lois Bloom, United States Magistrate Judge, signed an Order authorizing the seizure of precise location information concerning the U.S.-based phone referenced in paragraphs 10 and 11 above for a period of 30 days. Information obtained pursuant to the previous Order has indicated that on July 13, 2011, the phone was located within a residential apartment in Ridgewood, Queens occupied by the defendant AMADEO GOGA, except for a period of approximately three hours in the afternoon. During that time, based on visual surveillance by law enforcement agents, GOGA left the apartment in a burgundy Nissan Maxima. The phone appeared to move with GOGA's car. Following GOGA's return to the apartment at approximately 3:30 p.m. on the afternoon of July 13, 2011, the location data obtained pursuant to the Order indicated that the phone was once again located within the apartment.

14. On July 11, 2011, the Honorable Andrew Carter, United States Magistrate Judge, signed an Order authorizing a pen register and trap and trace device on the U.S.-based phone referenced in paragraphs 10 and 11 above for a period of 60 days. Information obtained pursuant to the Order indicates that on July 13, 2011, the phone exchanged text messages with the Romanian Phone identified in paragraphs 10 and 11 above.

15. On July 14, 2011, law enforcement agents, acting pursuant to a court-authorized warrant, searched the defendant's




apartment in Ridgewood, Queens. During the search, the agents found and seized, among other things, the U.S.-based cellular telephone referenced in paragraphs 10 and 11 above. The telephone was located in a kitchen drawer together with \$2,681 in cash - including nearly \$2,000 in \$100 bills - and a men's diamond-crusted Breitling watch. GOGA indicated to the agents that the telephone belonged to him. The agents also found and seized numerous Western Union money order receipts.

SEALING

16. I request that this affidavit and an arrest warrant issued in connection therewith be sealed until further order of the Court. Public disclosure of this affidavit prior to GOGA's arrest would jeopardize this investigation.

CONCLUSION

WHEREFORE, your deponent respectfully requests that a sealed arrest warrant be issued for the defendant AMODEO GOGA so that he may be dealt with according to law.

  
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MICHAEL R. BICKINGS  
Special Agent  
Federal Bureau of Investigation

Sworn to before me this  
15<sup>th</sup> day of July, 2011

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THE HONORABLE ANDREW L. CARTER, JR.  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK